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In re Application of:  
Manfred Pfalzgraf  
Application No. 09/813,353  
Filed: March 21, 2001  
Attorney Docket No. 740123-351

DECISION ON PETITION  
UNDER 37 CFR 1.181

This is in response to the petition filed on March 8, 2004 under 37 CFR 1.181(a)(1) requesting the Director to require the examiner to withdraw an objection to the drawings of the above-captioned patent application.

The petition is **GRANTED**.

A review of the record reveals that the examiner objected to the drawings under 37 CFR 1.183 for failing to show every feature of the claims in the Final Rejection dated September 11, 2003. Specifically, the objection to the drawings noted that the proposed drawing corrections dated October 15, 2002 were not approved. The examiner further argued that there was no prior art mechanism of record that would produce the claimed movement.

The Petitioner asks the Director to reverse the Examiner's decision with regard to the objection to the drawings, or in the alternative to waive 37 CFR 1.83, and approve the drawings submitted October 15, 2002.

The proposed drawing changes added a schematic showing of three "swing-in mechanisms S" in Figures 2A-2D and 3A-3C.

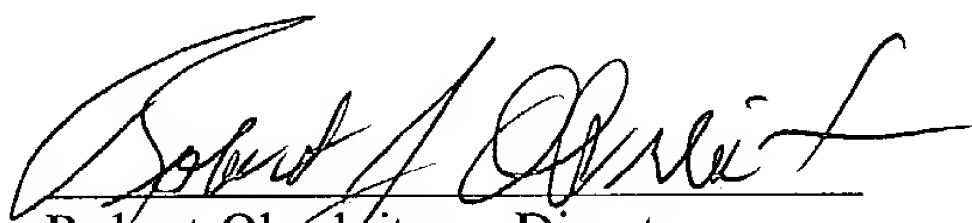
Petitioner argues that the schematic depictions of the swinging mechanisms for raising and lowering the covers are consistent with the original disclosure and adequately illustrate the claimed subject matter. Petitioner further argues that the specific means to produce the claimed movements of the covers is not the invention.

In accordance with 37 CFR 1.83(a) and MPEP 608.02(d), "the drawings in a nonprovisional application must show every feature of the invention specified in the claims. However, conventional features disclosed in the description and claims, where their detailed illustration is not essential for a proper understanding of the invention, should be illustrated in the drawing in the form of a graphical

drawing symbol or labeled representation". The claims of the instant application recite specific movements of the front and rear covers, but do not recite the specific means to affect the movements. The proposed drawing changes show the movements of the covers, as well as the schematic depictions of the swinging mechanisms. Thus, the proposed drawing changes are consistent with 37 CFR 1.83(a) since a detailed depiction of the swinging mechanisms is not required by the claims. Therefore, the proposed drawing changes adequately illustrate the claimed subject matter.

The drawing objections under 1.83(a)(b) are hereby withdrawn. Furthermore, the proposed drawing correction filed October 15, 2002 is approved. This application will be forwarded to the examiner of record for prompt consideration of applicant's appeal brief.

Telephone inquiries should be directed to D. Glenn Dayoan, Supervisory Patent Examiner, at (703) 308-3102.



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